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C O N F I D E N T I A L SECTION 01 OF 02 SUVA 000145

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [FJ](#)
SUBJECT: BAINIMARAMA'S NATIONAL COUNCIL PROPOSES DRAMATIC
CHANGES TO FIJI'S ELECTORAL SYSTEM

Classified By: Ambassador Dinger per 1.5 (B,D)

Summary

11. (SBU) The National Council for Building a Better Fiji (NCBBF), co-chaired by Interim PM Bainimarama, put forward to President Iloilo late April 15 a resolution calling for dramatic changes in Fiji's electoral system. Iloilo will undoubtedly endorse the resolution. According to the resolution, a forum involving key stakeholders, including all political parties, is to take place before the end of May to discuss steps needed to enact electoral reforms before the planned 2009 elections. Although the resolution does not explicitly state what reforms are planned, they are likely to include abolishing communal seats in Parliament and the current preferential voting system in favor of an all-open-seat, proportional system. No details were given on how the reforms will be enacted, but it appears impossible to accomplish legally without recalling parliament under the 1997 Constitution. We seek media guidance regarding USG views and offer possible language in para. 8. End summary.

Special NCBBF Meeting: Election resolution to President

12. (SBU) A "special" NCBBF (People's Charter process) meeting was called by Interim PM Bainimarama April 15 to hear presentations from Fiji's Electoral Commission (EC) and Constituency Boundaries Commission (CBC) and to discuss preparations for the planned 2009 national elections. A communique issued by the NCBBF after the meeting said that both the EC and CBC believe Fiji's current voting system is undemocratic, does not allow the will of the people to be expressed, violates the United Nations' Universal Declaration of Human Rights, and discriminates against women and minorities. The basic problem, said the communique, is that current elections are not based on a "one vote, one value" system. (Note: the 1997 Constitution, an openly political compromise, has 46 "communal" seats (23 Fijian, 19 Indian, 3 General, 1 Rotuman -- reflecting the ethnic ratios from a 1996 census); and 25 "open" seats. Voters cast two ballots -- one communal, one open; and votes are distributed and redistributed based on "preferences" until a candidate for a seat achieves 50% plus 1, an Australian-based concept.)

13. (C) The two commissions complained that the use of communal rolls as part of the current voting system divides the people of Fiji along ethnic lines and has encouraged divisive race-based politics and fear mongering by politicians. The preferential voting system, they said, is complex and confusing and produces very high rates of invalid votes. Comment: Those accusations have some validity. A

reality, though, in racially divided Fiji is that any possible electoral system will encounter politicians playing the race card, at least until Fiji demographics, which are tilting rapidly toward the ethnic-Fijians, force those ethnic-Indian politicians who want to taste a degree of power to link with ethnic-Fijian parties. End comment.

A forum of all key stakeholders in May?

14. (SBU) Following the briefings, the NCBBF drafted a resolution to President Iloilo, stating that:

-- Holding an election under existing laws would amount to electing a government under undemocratic rules;
-- Any government so elected would lack legitimacy within Fiji and the international community;
-- Urgent electoral reform is needed; and
-- A package of required changes to the electoral rules should be put forward as soon as possible to ensure that a general election is held "as soon as possible in 2009."

The NCBBF called on its working groups to accelerate their efforts to develop viable options for electoral reform. It called for a forum to be held in collaboration with the NCBBF by the end of May to discuss the steps need to reform the electoral system. The forum, said the resolution, shall include all key stakeholders, including all political parties in Fiji. In addition, "Fiji's Pacific Forum development partners may be invited to join in the discussion."

(Comment: That formulation might include the U.S., though the meaning is not clear.)

An IG Resolution? No Doubt About It

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15. (SBU) At a Ministry of Foreign Affairs briefing for foreign missions and international organizations April 16, diplomats noted that the communiqu and resolution were issued under the auspices of the NCBBF, not the Interim Government. "Are these documents, in fact, the policies of the Interim Government?" asked one High Commissioner. The Permanent Secretary of Foreign Affairs did not give a direct answer, but noted that the Interim Prime Minister is, after all, the co-chair of the NCBBF. The attending diplomats requested a further briefing at the earliest possible date to discuss the interim government's policies regarding the NCBBF resolution and plans for implementing it should it be endorsed by the President. (Comment: It surely will be, given current political realities in Fiji.)

Comment

16. (C) The interim government (IG) decision to go forward with changes to Fiji's electoral system is no surprise. Just yesterday, interim Finance Minister and Labor Party leader Chaudhry told the press that elections should only be conducted under a "one man, one vote" system and that no seats should any longer be allocated along communal lines. In the 1997 Constitution, the part-communal, part "open seat" electoral system is entrenched; and the only way to change those provisions without abrogating the Constitution is by an overwhelming vote in parliament. However, the IG has repeatedly "enacted" laws by presidential decree. So it may well be that a strictly constitutional process is not what the IG has in mind.

17. (C) It is possible that deposed PM Qarase and his ethnic-Fijian-dominated SDL Party might consider undertaking discussions with the IG about an all-open-seat arrangement of some sort. The 2007 census showed the ethnic-Fijian majority in the population continuing to increase, now 58%; and, if electoral boundaries are drawn fairly, presumably the SDL would win future elections more handily than under the current system, which was a political compromise in 1997 intended to ensure neither Fijians nor Indians could gain big

enough majorities to absolutely dominate key issues, including land and cultural issues. It is less clear why Chaudhry and his ethnic-Indian-dominated FLP Party now see an all-open-seat arrangement as politically attractive.

Action request

18. (C) The media are sure to seek the views of the USG and other interested foreign governments about the IG/NCBBF proposal. Embassy Suva suggests something like the following:

-- The United States believes strongly in democracy. We also acknowledge that nations can develop many different, acceptable forms of democratic political systems. Because the electoral system entrenched in Fiji's Constitution was reached through transparent, exhaustive consultations among all political groups in Fiji and received unanimous endorsement by the Fiji Parliament in 1997, the United States found it acceptable.

-- If the people of Fiji come to prefer some other form of democratic governance, the United States would have no objection. The key, though, is that decisions be made transparently, inclusively, and legally. The Interim Government and the National Council for Building a Better Fiji lack such transparency, inclusiveness, and legality.

-- In the end, it is Fiji that must decide its political system. The U.S. continues to urge the return of rule of law with a legally elected government. Such a government, legitimized by the people's votes, can best consider important issues like possible changes to the electoral system.
DINGER